

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

Chapter 11

PURDUE PHARMA L.P., et al.,

Case No. 19-23649 (RDD)

Debtors¹.

(Jointly Administered)

**[PROPOSED] ORDER
ADJOURNING RULING ON INDEPENDENT ER PHYSICIAN'S [ER PHYSICIANS]
MOTION FOR CLASS TREATMENT AND GRANTING ER PHYSICIAN'S
REQUEST FOR PARTICIPATION IN THE ONGING MEDIATION**

1. On June 12, 2020 ER Physician filed his putative class proof of claim.
2. On August 27, 2020, ER Physician filed its Motion for Class Treatment Pursuant to Fed. Bankr. P. 9014 and 7023 for an Order Making Fed. R. Civ. P 23 Applicable to These Proceedings, and Granting Related Relief ("Motion"). [Dkt. 1629].
3. The Court has adjourned all other class treatment motions. [Dkt. 1425].
4. Recognizing the importance of the issues raised in the ER Physician's Motion, this Court finds that all appropriate committees have received notice and this Court further finds that the ER Physician's Motion should be granted relief such that:
 - a. ER Physician is to be bound by the mediation rules and confidentiality, and any other pertinent provisions, as articulated in the *Order Appointing Mediators* [Dkt. No. 895] (the "**Mediation Order**"). The ER Physician further shall sign onto the Protective Order entered in

¹ The Debtors in these cases, along with the last four digits of each Debtor's registration number in the applicable jurisdiction, are as follows: Purdue Pharma L.P. (7484), Purdue Pharma Inc. (7486), Purdue Transdermal Technologies L.P. (1868), Purdue Pharma Manufacturing L.P. (3821), Purdue Pharmaceuticals L.P. (0034), Imbrium Therapeutics L.P. (8810), Adlon Therapeutics L.P. (6745), Greenfield BioVentures L.P. (6150), Seven Seas Hill Corp. (4591), Ophir Green Corp. (4594), Purdue Pharma of Puerto Rico (3925), Avrio Health L.P. (4140), Purdue Pharmaceutical Products L.P. (3902), Purdue Neuroscience Company (4712), Nayatt Cove Lifescience Inc. (7805), Button Land L.P. (7502), Rhodes Associates L.P. (N/A), Paul Land Inc. (7425), Quidnick Land L.P. (7584), Rhodes Pharmaceuticals L.P. (6166), Rhodes Technologies (7143), UDF LP (0495), SVC Pharma LP (5717) and SVC Pharma Inc. (4014). The Debtors' corporate headquarters is located at One Stamford Forum, 201 Tresser Boulevard, Stamford, CT 06901.

these cases.

b. ER Physician will have the opportunity to present its position on the current state of the private abatement plan, including provisions it feels should be revised or added on a confidential basis (pursuant to the Mediation Order), to: the Mediators, the Debtors, the UCC, and the Private Claimant Groups while mediation is ongoing and (ii) to any other Mediation Parties (as defined in the Mediation Order), or any other parties participating in the mediation by stipulation, following the conclusion of the mediation.

c. ER Physician shall reasonably coordinate with the Private Claimant Groups, and shall not seek to delay or hinder the progress of the ongoing Mediation. Further, to ensure that the ER Physician has adequate time to review and provide comments and suggestions to the Parties and the Mediators, the Private Claimant Groups will provide the ER Physician with the most recent private abatement plan, subject to the confidentiality and privilege protections of the Mediation Order.

d. ER Physician has a hearing pending on ER Physician Motion that is due to be heard on September 30, 2020, at 10:00 a.m. Nothing herein is meant to limit or curtail the advocacy of ER Physician, or its ability to be heard in later proceedings of the Court following the conclusion of the mediation process.

SO ORDERED; provided, that the Court has made no finding as to whether the ER Physician entitled to class treatment under FED. BANKR. P. 9014 and 7023 for any particular matter or proceeding or these cases generally.

Dated: White Plains, New York

United States Bankruptcy Judge